

**DENTISTRY EXAMINING BOARD
REGULAR MEETING
September 11, 2002**

MEMBERS PRESENT: Bruce Barrette, DDS; David Carroll, RDH; Keith D. Clemence, DDS; Nanette Kosydar Dreves, RDH, Wilbur Gill, DDS; Karen Jahimiak, DDS, Cathy Schleis, RDH; Arthur Srb, Richard Strand, DDS; and Bruce Wayne Trimble DDS

EXCUSED: Judith Ficks

STAFF PRESENT: Deanna Zychowski, Bureau Director; Jacquelynn Rothstein, Legal Counsel; Gina York, Program Assistant and other Division staff for portions of the meeting

GUESTS: Dr. Michael Donohoo, WDHA; Michelle Hough, WDHA; Mara Brooks, WDHA; and Mark Braden, DDS

CALL TO ORDER

Chair Bruce Barrette called the meeting to order at 8:30 a.m.

PLEDGE OF ALLEGIANCE

The Board gave the pledge of allegiance and a moment of silent in remembrance of 9/11/01.

APPROVAL OF AGENDA

Additions to the Agenda:

- Add under Item A: Combine Summary Initiatives
- Add under Item E: Screening Committee Report
- Add under Item K: Larry Nillissen, DDS Stipulation
- Add Regulatory Digest - Katharine Hildebrand

MOTION: Wilber Gill moved, seconded by David Carroll, to approve the agenda as amended. Motion carried unanimously.

DEPUPY GREG HORSTMAN

Deputy Secretary Greg Horstman addressed the Board and shared the latest information from the Budget and Services Committee meeting. He encouraged the Board to continue the communication process on how the Department can provide better services to the Board and the public. Wilber Gill shared ideas such as positions, services, and membership costs for AADE. Deputy Horstman indicated that the base budget is going in next week and will share the outcome with the Boards when available.

APPROVAL OF MINUTES July 10, 2002

Amendments to the Minutes:

- Under Rhonda Kay Clancy – Change “RHD” to “RDH”
- In Heading Review of Lisa Koenig Correspondence – Change “Correspondend” to “Correspondence”
- Under Review of Lisa Koenig Correspondence – Change all “maxiollfacial” to “maxillofacial”
- Under Review of Lisa Koenig Correspondence – Change all “DE6.02, sub4c.” to “DE 6.2, sub (4)(c)”
- Under Review of Lisa Koenig Correspondence – Third Motion – Delete after the word “read:” the group of words from “Notice of a practice ...through ...by the ADA” and replace with “In a specialty recognized by the American Dental Association”
- Under Reinstatement Heading – Change in motion: “Koysdar” to “Kosydar” and “credits” to “CRDTS”
- Under Heading Matters Concerning Schuyler Van Gordon – After Wilber Gill abstained; “Delete the entire roll call vote and responses”.
- Under Heading Matters Concerning Schuyler Van Gordon – Second Motion – After the word “action” insert “in this matter.”

MOTION: Wilber Gill moved, seconded by David Carroll, to approve the Minutes as amended. Motion carried unanimously.

PRESENTATION OF PROPOSED STIPULATIONS

THEODORE TAYLOR, DDS

DOE Attorney James Polewski presented a proposed stipulation in the matter concerning Theodore Taylor, DDS. This matter will be deliberated on in closed session.

LARRY NILLISSEN, DDS

DOE Attorney James Polewski presented a proposed stipulation in the matter concerning Larry Nillissen, DDS. This matter will be deliberated on in closed session.

PRESENTATION OF ETHICAL OBLIGATIONS OF BOARD MEMBERS

William Dusso, Department Legal Counsel discussed with the Board the ethical obligations of Board members. He also provided two handouts, the Code of Ethics and the Case Advisory Role, for their review.

REGULATORY DIGEST

Katharine Hildebrand discussed with the Board articles for the Regulatory Digest and answered any additional questions regarding future publication of articles.

REPORT OF SERVICES AND BUDGET COMMITTEE

Wilber Gill reported to the Board the results of the last Services and Budget Committee meeting. Topics discussed were the support of Board members to professional associations and annual membership costs. Also a suggestion of a possible increase of the \$25.00 per diem to cover Board meetings.

REPORT ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

Informational report.

SCOPE STATEMENT FOR DENTAL SPECIALTIES

There was a discussion by the Board regarding this topic.

MOTION: Wilber Gill moved, seconded by Bruce Wayne Trimble , to accept the scope statement as written. Motion carried unanimously.

SCOPE STATEMENT FOR FACULTY LICENSES

There was a discussion by the Board regarding this topic.

MOTION: Wilber Gill moved, seconded by Richard Strand, to adopt the scope statement as written. Motion carried unanimously.

WISCONSIN RURAL HEALTH DEVELOPMENT COUNCIL

The Board discussed the importance and need for representation to this council.

MOTION: Wilber Gill moved, seconded by Nanette Kosydar Dreves to have Bruce Barrett represent the Board at such meetings and to use his discretion to have other Board members attend. Motion carried unanimously.

CRDTS UPDATE

Richard Strand shared information with the Board regarding CRDTS and the issuing of foreign licensure and residency. These issues will be coming up at future Board meetings and Dr. Strand will keep the Board post as updates occur. The DISC Board in the past nine years was funded by the Commission on Dental Accreditation. The funding was denied and in the meantime is seeking other alternatives.

SCREENING COMMITTEE REPORT

The Screening Committee reported that they currently have 25 cases now before the committee. Richard Strand recommended that the gathering of some hard data may be helpful to the screening committee in showing a pattern of the different types of cases and what percentage of cases fall into which categories. The Board would like a “blue print” of a flow chart system to be developed by DOE to be sent out to Board members which has the type of case identified and the number in each category for tracking purposes.

MOTION: Richard Strand moved, seconded by David Carroll to recommend that DOE staff develop a flow chart system and report back to the feasibility of creating such a system by the next Board meeting. Nanette Kosydar Dreves – opposed. Motion carried.

ADJOURN TO CLOSED SESSION

MOTION: Wilber Gill moved, seconded by Karen Jahimiak to allow Mark Braden to attend the closed session. Motion carried unanimously.

MOTION: Nanette Kosydar Dreves moved, seconded by Catherine Schleis, to adjourn to closed session pursuant to Wisconsin State Statutes 19.85(1)(a)(b)(f) and (g) for the purpose of reviewing applications and appearances, considering requests for stays of suspension, request for full licensure, requests to take CRDTS a third time, deliberation of proposed stipulation, deliberation of an administrative warning, meeting with the Division of Enforcement and consulting with Legal Counsel. Roll call vote: Bruce Barrette – yes; David Carroll – yes; Keith Clemence – yes; Nanette Kosydar Dreves – yes; Wilber Gill – yes; Karen Jahimiak – yes; Catherine Schleis – yes; Arthur Srb – yes, Richard Strand – yes; and Bruce Wayne Trimble – yes. Motion carried unanimously.

Open session adjourned at 10:08 a.m.

RECONVENE INTO OPEN SESSION

MOTION: Nanette Kosydar Dreves moved, seconded by David Carroll, to reconvene into open session. Motion carried unanimously.

Reconvened to open session at 2:10 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

APPEARANCE AND APPLICATION REVIEW/REINSTATEMENT

JEFF L. KRANNAWITTER, DDS

MOTION: Richard Strand moved, seconded by Catherine Schleis to approve the application of Jeff L. Krannawitter, DDS. Motion carried unanimously.

JENNIFER C. BARRY, DDS

MOTION: Bruce Wayne Trimble moved, seconded by David Carroll, to approve the application of Jennifer C. Barry, DDS. Motion carried unanimously.

REQUESTS TO TAKE CRDTS EXAM

MARK DAVIES, DDS

MOTION: Wilber Gill moved, seconded by Richard Strand, to allow Mark Davies, DDS to prepare a plan of remediation for consideration to present before the Board would allow him to retake the CRDTS exam for the third time. Roll Call Vote: Bruce Barrett - yes; David Carroll – yes; Keith Clemence – no; Nanette Kosydar Dreves – yes; Wilber Gill – no; Karen Jahimiak – no; Catherine Schleis – yes; Arthur Srb – yes; Richard Strand – yes; Bruce Wayne Trimble – yes. Vote Tally: Seven – yes Three-no. Motion carried.

QUALIFYING FOR DENTAL HYGENE LICENSE

KRIS KOWALSKI

MOTION: Nanette Kosydar Dreves moved, seconded by Richard Strand, for the Board to send a letter to Kris Kowalski regarding how to qualify for a dental hygiene license. Motion carried unanimously.

FINAL DECISION AND ORDER

BRIAN PAINTER, DDS

MOTION: Wilber Gill moved, seconded by Karen Jahimiak, to accept the amended final decision and board order in the matter of Brian Painter, DDS. Case Advisor Bruce Wayne Trimble was not present during deliberation. Motion carried unanimously.

MOTION: Wilber Gill moved, seconded by Karen Jahimiak, to accept the amended order and fixed costs in the matter of Brian Painter, DDS. Case Advisor Bruce Wayne Trimble was not present during deliberation. Motion carried unanimously.

PROPOSED STIPULATIONS

THEODORE TAYLOR, DDS

MOTION: Wilber Gill moved, seconded by Karen Jahimiak, to accept the stipulation in the matter of Theodore Taylor, DDS. Bruce Barrett and Nanette Kosydar Dreves opposed. Motion carried.

LARRY NILLISSEN, DDS

MOTION: Keith Clemence moved, seconded by Nanette Kosydar Dreves, to table the stipulation in the matter of Larry Nillissen, DDS to the next Board meeting. David Carroll was not present during deliberations. Motion carried.

EXTENSION OF TIME FOR EDUCATION

STEPHEN RATER, DDS

MOTION: Wilber Gill moved, seconded by Nanette Kosydar Dreves, to deny the request for an extension of time since he has until Dec. 2, 2002 to complete the Board Order. Motion carried unanimously.

REQUEST FOR STAYS OF SUSPENSION

LEON CUMMINGS, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Richard Strand, to grant a three-month stay of suspension to Leon Cummings, DDS. Motion carried unanimously.

JAMES MARKENSON, DDS

MOTION: Wilber Gill moved, seconded by Nanette Kosydar Dreves, to grant a three-month stay of suspension to James Markenson, DDS. Motion carried unanimously.

JOHN REED, DDS

MOTION: David Carroll moved, seconded by Karen Jahimiak, to grant a three-month stay of suspension to John Reed, DDS. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

GARY KRUEGER, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Richard Strand, to issue an administrative warning in the matter of Gary Krueger, DDS. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Richard Strand moved, seconded by David Carroll, to close complaint **01 DEN 101**, for insufficient evidence. Motion carried unanimously.

MOTION: Nanette Kosydar Dreves moved, seconded by Wilber Gill, to close complaint **01 DEN 128**, for prosecutorial discretion. Compliance gained. Motion carried unanimously.

MOTION: Wilber Gill moved, seconded by Catherine Schleis, to close complaint **01 DEN 112**, for no violation. Motion carried unanimously.

MOTION: Nanette Kosydar Dreves moved, seconded by Catherine Schleis, to close complaint **02 DEN 022**, for insufficient evidence. Motion carried unanimously.

MOTION: Richard Strand moved, seconded by David Carroll, to close complaint **01 DEN 010**, for insufficient evidence. Motion carried unanimously.

MOTION: Wilber Gill moved, seconded by Karen Jahimiak, to close complaint **96 DEN 075**, for insufficient evidence. Motion carried unanimously.

OTHER BOARD BUSINESS

Noted.

INFORMATIONAL ITEMS

Noted.

ADJOURNMENT

MOTION: David Carroll moved, seconded by Catherine Schleis, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:42 p.m.